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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,765	03/31/2004	Ben P. Hu	030048129US	5248
64066	7590	08/31/2006	EXAMINER	
PERKINS COIE, LLP P.O. BOX 1247 PATENT - SEA SEATTLE, WA 98111-1247			COLLADO, CYNTHIA FRANCISCA	
			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/813,765	Applicant(s) HU, BEN P.	
	Examiner Cynthia F. Collado	Art Unit 3618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 9-10,21,22 and 28-39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8,11-20,23-27 and 40-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/25/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

Applicant's election **without** traverse of species I drawn to figures 1,4,5 and 6 are being readable to claims 1-8,11-20,23-27 and 40-42 in the reply filed on 6/20/2006 is acknowledged. Claims 9-10,21-22 and 28-39 are withdrawn without traverse.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6,11-15,19-20,23-25 and 40 rejected under 35 U.S.C. 103(a) as being unpatentable over Naderi et al (US Patent No.6, 034,355) in view of Carrillo'325 (US Patent No.6, 695,325).

Regarding claims 1 and 15, Naderi teaches the following elements:

- A body configured to be moved along a passenger aisle of the aircraft (fig 1, element 20)
- The body including a plastic shell (col 3, lines 31-36)
- The plastic shell forming a first side (88) portion and at least one of a second side portion (94)
- a top portion (26), and a bottom portion of the body (98)
- first side portion (88) is spaced apart from the second side portion (94)
- the top portion extends between the first and second side portions (86)

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- the bottom portion (98) is spaced apart from the top portion (26) and extends between the first (88) and second side portions (94).

However Naderi fails to teach a cart integrally formed of one piece, nevertheless Carrillo teaches a cart integrally formed of one piece. Based on the teaching of Carrillo, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the galley cart of Naderi to be manufactured as an integrally molded one piece plastic shell as in Carrillo to keep the cost of manufacturing low.

Regarding claim 2, Naderi teaches the following elements:

- first side portion (88)
- top portion (26)
- second side portion (86)

Regarding claim 3, Naderi teaches the following elements:

- first side (88)
- top side (26)
- second side (86)
- bottom side (98)

Regarding claims 4 and 5, Naderi teaches the following elements:

- a molded portion (col 2, lines 36-52)
- regarding claim 5, it's old and well known to use rotation molding in the one-piece plastic shell which allows formation of much thicker walls and stronger corners than injection molding alone, which makes it the preferred process

Regarding claims 6 and 25, Naderi teaches the following elements:

- an inner skin offset from an outer skin in a double wall configuration (col 6, lines 37-62)

Regarding claims 11-14, 19-20, 23, 24 and 40 Naderi teaches the following elements:

- a door with an insert molded into a one piece plastic shell (100)
- at least one hinge attached to the door (col 9, lines 33-37)
- at least one threaded insert (fig 6A)
- an interior portion having a first/second interior side (96)
- plurality of horizontal supports configured to hold food (104)
- roller means for moving means along a passenger aisle (99)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-8,16-18,26-27,41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naderi et al (US Patent No.6, 034,355) in view Saku et al'498 (US Patent No.6, 234,498).

Naderi discloses a one-piece plastic shell with a double wall but lacks the teaching of a foam core positioned between the inner and outer skins, however Saku discloses a foam core positioned in between the inner and outer skins in (figure 2, element 12). Based on the teaching of Saku, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the cart of Naderi to include the foam core positioned between the inner and outer walls of the saku so as to provide the galley cart with superior insulation in which preserves the food on the inside of the cart hot.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No.6, 672,601 issued to Hofheins teaches a mean delivery cart.

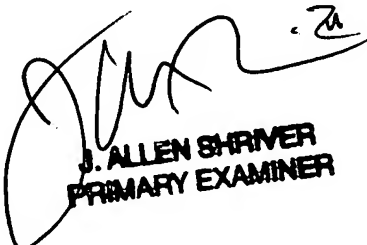
US Patent No.4, 346,756 issued to Dodd teaches an apparatus for selectively heating food.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cynthia F. Collado whose telephone number is (571)2728315. The examiner can normally be reached on mon-fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571)2726914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ch  
CPC 8/28/06

  
J. ALLEN SHRIVER  
PRIMARY EXAMINER